~~27.~~ 39 The communique system of claim 26 wherein said subframe generating means comprises:

domain parsing means for dividing a communication space in time, frequency and code domains to create said plurality of communication channels, each comprising a plurality of communication segments for carrying data.

~~28.~~ 40 The communique system of claim 27 wherein said received program content comprises communique transmissions and at least one of the classes of transmissions: voice, and data transmissions, said router means further comprises:

channel assignment means for assigning at least one of said plurality of communication channels exclusively for use in transmitting each of said at least two classes of transmissions; and

transmitter means for transmitting each of said received program content comprising at least two of: voice, data and communique transmissions in said associated assigned ones of said plurality of communication channels.

~~29.~~ 41 The communique system of claim 28 wherein said channel assignment means reserves at least one of said plurality of communication channels for use on a non-exclusive basis for use in transmitting each of said at least two classes of transmissions.

Remarks

This Preliminary Amendment is being filed to cancel claims 15-21 and bring claims 1-14 and new claims 22-29 of this patent application into conformance with the corresponding claims 12-33 in the corresponding PCT filed Application.

Applicant requests a Notice of Allowance in this application in light of the amendments set forth herein. The undersigned attorney requests Examiner Huy Yu to telephone if a conversation could expedite prosecution. Applicant authorizes the Commissioner to charge any additionally required payment of fees to deposit account #50-1848.

Respectfully submitted,
Patton Boggs, LLP

By: _____

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Version with markings to show changes made:

1. (Amended) A communique system for providing a communique, constituting program content concurrently delivered to a plurality of [communication services to] subscribers, who are equipped with wireless subscriber devices, via a cellular communication network that includes a plurality of cell sites, each of which provides a plurality of wireless communication channels in a cell that covers a predetermined volume of space around a cell site transmitting antenna, comprising:

program manager means for receiving program content from a plurality of program sources;

processor means for selecting at least one of said plurality of cells to provide a [communication service] to a plurality of subscribers who are authorized to receive said communique and who are served by said selected cells, independent of the presence of subscribers who are authorized to receive said communique and who are served by other cells of said cellular communication network; and

means for routing program content, constituting said communique, from at least one of said plurality of program sources to selected cell sites [associated with said selected at least one of said plurality of cells] for concurrent transmission [via a one of said plurality of wireless communication channels] to a plurality of wireless subscriber devices of subscribers who are authorized to receive said communique and who are served by said selected [cell sites] cells, in at least one of said selected [cell sites] cells [to provide said communique communication service] said transmission to said plurality of wireless subscriber devices being effected concurrently to more than one of said plurality of wireless subscriber devices via a one of said plurality of wireless communication channels.

2. (Amended) The communique system of claim 1 wherein said means for routing comprises:

content scheduling means for combining said received program content into a plurality of program streams, each of which comprises at least one media from the class of media including: audio, video, graphics, text, data[, and the like].

3. (Amended) The communique system of claim 2 further comprising:

distribution means for transmitting a program stream to said cell sites associated with said selected at least one of said plurality of cells; and

wherein said router means [for routing] further comprises:

content parsing means for transmitting program stream parsing control signals to said cell sites associated with said [at least one of said plurality of] selected cells to define at least one communique that is excerpted from said program stream in said cell sites associated with said selected [at least one of said plurality of] cells.

4. (Amended) The communique system of claim 3 further comprising:

communique generation control means, located in said at least one of said plurality of cell sites, for generating a plurality of communiques from said received program stream and said program stream parsing control signals; and

transmitter means for transmitting said plurality of communiques to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells.

5. (Amended) The communique system of claim 2 further comprising:

content migration means for transmitting a program stream to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells; and

wherein said router means [for routing] further comprises:

content parsing means for transmitting program stream parsing control signals to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells to define at least one communique that is excerpted from said program stream.

6. (Amended) The communique system of claim 5 further comprising:

subframe generating means for generating a plurality of subframes from said received program stream and said program stream parsing control signals for

transmission to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells.

7. (Amended) The communique system of claim 6 further comprising:

subframe control means for generating program stream subframe parsing control signals to define at least one communique that is excerpted from a subframe of said program stream; and

transmitter means for transmitting said received program stream subframe and said program stream subframe parsing control signals to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells.

8. (Amended) A method of operating a communique system for providing [communique communication services to] a communique, constituting program content concurrently delivered to subscribers, who are equipped with wireless subscriber devices, via a cellular communication network that includes a plurality of cell sites, each of which provides a plurality of wireless communication channels in a cell that covers a predetermined volume of space around a cell site transmitting antenna, comprising [the steps of]:

receiving program content from a plurality of program sources;

selecting at least one of said plurality of cells to provide a communique [communication service] to a plurality of subscribers who are authorized to receive said communique and who are served by said selected plurality of cells, independent of the presence of subscribers who are authorized to receive said communique and who are served by other cells of said cellular communication network; and

routing program content from at least one of said plurality of program sources to cell sites [associated with said selected at least one of said plurality of cells] for transmission via a one of said plurality of wireless communication channels to a plurality of wireless subscriber devices of subscribers who are authorized to receive said communique and who are served by said selected [at least one of said plurality of] cells [to provide said communique communication service] , in at least one of said selected cells said transmission to said plurality of

wireless subscriber devices being effected concurrently to more than one of said plurality of wireless subscriber devices via a one of said plurality of wireless communication channels.

9. (Amended) The method [of operating a communique system] of claim 8 wherein said step of routing comprises:

combining said received program content into a plurality of program streams, each of which comprises at least one media from the class of media including: audio, video, graphics, text, data[, and the like].

10. (Amended) The method [of operating a communique system] of claim 9 further comprising [the step of]:

transmitting a program stream to said cell sites associated with said selected at least one of said plurality of cells; and

wherein said step of routing further comprises:

transmitting program stream parsing control signals to said cell sites associated with said at least one of said plurality of cells to define at least one communique that is excerpted from said program stream in said cell sites associated with said selected at least one of said plurality of cells.

11. (Amended) The method [of operating a communique system] of claim 10 further comprising [the steps of]:

generating, in said at least one of said plurality of cell sites, a plurality of communiques from said received program stream and said program stream parsing control signals; and

transmitting said plurality of communiques to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells.

12. (Amended) The method [of operating a communique system] of claim 9 further comprising [the step of]:

transmitting a program stream to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells; and

wherein said step of routing further comprises:

transmitting program stream parsing control signals to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells to define at least one communique that is excerpted from said program stream.

13. (Amended). The method [of operating a communique system] of claim 12 further comprising [the step of]:

generating a plurality of subframes from said received program stream and said program stream parsing control signals for transmission to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells.

14. (Amended) The method [of operating a communique system] of claim 13 further comprising [the steps of]:

generating program stream subframe parsing control signals to define at least one communique that is excerpted from a subframe of said program stream; and

transmitting said received program stream subframe and said program stream subframe parsing control signals to said plurality of wireless subscriber devices served by said selected at least one of said plurality of cells.

Cancel Claims 15-21.

Add New Claims:

22. The method of claim 8 wherein said step of routing comprises:

dividing a communication space in at least two dimensions to create said plurality of communication channels for carrying data; and

transmitting each said received program content in a selected one of said communication channels.

23. The method of claim 22 wherein said step of dividing comprises:

dividing a communication space in time, frequency and code domains to create said plurality of communication channels, each comprising a plurality of communication segments for carrying data.

24. The method of claim 23 wherein said received program content comprises communique transmissions and at least one of the classes of transmissions: voice, and data transmissions, said step of routing further comprises:

assigning at least one of said plurality of communication channels exclusively for use in transmitting each of said at least two classes of transmissions; and

transmitting each of said received program content comprising at least two of: voice, data and communique transmissions in said associated assigned ones of said plurality of communication channels.

25. The method of claim 24 wherein said step of routing further comprises:

reserving at least one of said plurality of communication channels for use on a non-exclusive basis for use in transmitting each of said at least two classes of transmissions.

26. The communique system of claim 1 wherein said router means comprises:

subframe generating means for dividing a communication space in at least two dimensions to create said plurality of communication channels for carrying data; and

transmitter means for transmitting each said received program content in a selected one of said communication channels.

27. The communique system of claim 26 wherein said subframe generating means comprises:

domain parsing means for dividing a communication space in time, frequency and code domains to create said plurality of communication channels, each comprising a plurality of communication segments for carrying data.

28. The communique system of claim 27 wherein said received program content comprises communique transmissions and at least one of the classes of transmissions: voice, and data transmissions, said router means further comprises:

channel assignment means for assigning at least one of said plurality of communication channels exclusively for use in transmitting each of said at least two classes of transmissions; and

transmitter means for transmitting each of said received program content comprising at least two of: voice, data and communique transmissions in said associated assigned ones of said plurality of communication channels.

29. The communique system of claim 28 wherein said channel assignment means reserves at least one of said plurality of communication channels for use on a non-exclusive basis for use in transmitting each of said at least two classes of transmissions.

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	Art Unit: 2665
	Examiner Huy Yu
Fax Number:	~~703-746-5865~~ 703-872-9314
Phone Number:	**703-308-6602**
Total Pages Including Cover:	~~16~~ 17
From:	**James M. Graziano**
Sender's Direct Line:	303-379-1113
Date:	January 9, 2003 Resent 1/10/2003
Client Number:	Docket No.: 13209.101C2 US (.103)

Comments:

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Attached is Preliminary Amendment and Remarks re:

Patent Application of D.B. McKenna et al.

Serial No. 09/736,475

Filed December 13, 2000

For: COMMUNIQUE SYSTEM WITH DYNAMIC BANDWIDTH ALLOCATION IN CELLULAR COMMUNICATION NETWORKS

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